

CITY OF COLUMBIA, ILLINOIS

ORDINANCE NO. 3176

**AN ORDINANCE TO APPROVE THE FOX RUN ESTATES
COMMUNITY UNIT PLAN IN THE CITY OF COLUMBIA, COUNTY
OF MONROE AND STATE OF ILLINOIS**

**Adopted by the
City Council
of the
City of Columbia, Illinois
this 20th day of April, 2015**

**Published in pamphlet form by authority
of the City Council
Of the City of Columbia,
Illinois this 20th day of April, 2015**

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Darlynn Stoff
City Clerk

**AN ORDINANCE TO APPROVE THE FOX RUN ESTATES
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WHEREAS, Section 17.48.010 of the City's Zoning Code allows the owner of any tract of land in any district zoned for residential purposes comprising an area of not less than four acres shall submit to the governing body a plan for the use and development of all of such tract of land for residential purposes that do not all conform to the requirements of the City's Zoning Code. Such development plan shall be referred to the plan commission for study and be presented for public hearing.

WHEREAS, on the 6th day of April, 2015 at 6:45 P.M. in the Council Chambers at Columbia City Hall, 208 South Rapp Avenue, Columbia Illinois a public hearing was held regarding the Fox Run Estates Community Unit Plan.

WHEREAS, Section 17.48.010 of the City's Zoning Code further requires that the City Council will not approve the development plan unless the plan meets the following the conditions, to wit:

(1) That under a development plan provided to the City by the developer of the proposed Community Unit Plan development, the property adjacent to the area in the Community Unit Plan development is properly safeguarded.

(2) The plan is consistent with the intent and purpose of the City's Zoning Code in promoting the public health, safety, morals and general welfare of the community.

(3) The standards to be constructed shall only be used for residential purposes and uses accessory thereto.

(4) The average lot area per family at the development site, exclusive of the area occupied by streets, may not be less than the minimum lot area required by the city's R-5 (One-Family Dwelling Zoned District) Zoning District.

(5) At least 250 square feet of area per family unit is required to be set aside and maintained for playground recreation area.

(6) Assurances shall be required from the developer that the project will be used for its intended residential Community Unit Plan and will be developed to the approved final development plan.

NOW, THEREFORE, BE IT ORDAINED, by the City Council of the City of Columbia, Illinois, as follows:

Section 1. The recitals contained above in the preamble of this Ordinance are hereby incorporated herein by reference, the same as if set forth in this Section of this Ordinance verbatim, as findings of the City Council of the City of Columbia, Illinois.

Section 2. The City's City Council has found and determined and does hereby declare that the proposed Fox Run Estates Community Unit Plan shown as Exhibit A (Revised March 9, 2015 Fox Run Estates Preliminary Plat) meets the following conditions, to wit:

(1) That under a development plan provided to the City by the developer of the proposed Community Unit Plan development, the property adjacent to the area included in the Community Unit Plan development is properly safeguarded.

(2) The plan is consistent with the intent and purpose of the City's Zoning Code in promoting the public health, safety, morals and general welfare of the community (in this case, the developer has agreed to construct on the subject properties comprising 21.1 acres (the "Fox Run Estates Lots 1 thru 36 Community Unit Plan" property) a total of thirty six (36) buildings, each consisting of one-family units). The "Fox Run Estates Community Unit Plan" property and the proposed development is compatible with the residential development in the neighborhood and the development contemplated by the City's Comprehensive Community Plan and does promote the health, safety and welfare of the community;

(3) The standards to be constructed on the Fox Run Estates Community Unit Plan shall only be used for residential purposes and uses accessory thereto, (in this case, the subject property has been zoned R-5 (One-Family Dwelling Zoned District) to allow for the one-family residential development and therefore, can be used only for residential uses and purposes allowed by the City's R-5 (One-Family Dwelling Zoned District) classification and the developer intends to construct thirty six (36) one-family units with a minimum of face masonry (brick), eighteen lots of which are designated by

record of final plat (lots: 4, 5, 7, 10, 11, 12, 13, 16, 17, 20, 24, 25, 26, 27, 28, 30, 31, and 35) to have an eight foot side yard area and shall only be applicable if an attached three car garage is present on the initial building permit submittal).

(4) The average lot area per family at the development site, exclusive of the area occupied by streets, is will not be less than the minimum lot area required by the city's R-5 (One-Family Dwelling Zoned District) Zoning (in this case, the minimum lot area per dwelling unit required by the City's Zoning Code in an R-5 zoned district is eight thousand five hundred (8,500) square feet; the proposed Community Unit Plan Fox Run Estates Lots 1 thru 36 comprises 21.1 acres (962,676 square feet).

(5) At least 250 square feet of area per family unit is required to be set aside and maintained for playground recreation area (in this case, there is proposed thirty six (36) family units to be constructed on the Fox Run Estates Lots 1 thru 36 Community Unit Plan site which would require a recreational area set aside of a minimum of nine thousand (9,000) square feet and the developer is proposing walking trails and other open recreational area within the development having a bulk area of nine thousand (9,000) square feet meeting the minimum code requirement);

(6) Assurances shall be required from the developer that the project will be used for its intended residential Community Unit Plan and will be developed to the approved final development plan (provided in the cooperation agreement attached as Exhibit B).

Section 3. This Ordinance shall be in full force and effect from and after its passage.

Alderman Huch moved the adoption of the above and foregoing Ordinance; the motion was seconded by Alderman Ebersohl, and the roll call vote was as follows:

YEAS: Aldermen Ebersohl, Agne, Niemietz, Roessler, Huch, Reis and Holtkamp.

NAYS: None.

ABSENT: Alderman Mathews.

ABSTENTIONS: None.

PASSED by the City Council and APPROVED this 20th day of April, 2015.


KEVIN B. HUTCHINSON, Mayor

ATTEST:


WESLEY J. HOEFFKEN, City Clerk

(SEAL)

